

REMARKS

Claims 1 – 25 and 27 – 35 are the subject of the present Official Action. Claims 1, 6, 20, 30, 33, 34 and 35 have been amended and claims 5 and 7 have been canceled. The claims thus now currently pending in this application include claims 1 – 4, 6, 8 – 25, and 27 – 35. At this time, claims 20 and 30 have been rejected under 35 USC § 112, second paragraph, while claims 1, 4 – 6, 8 – 11, 15 – 17, 19 – 22, 25, 27, and 31 – 35 have been rejected under 35 USC § 102(e), with the remaining claims 2, 3, 12 – 14, 18, 23, 24, 29, and 30 being rejected under 35 USC § 103(a). Pending claims 7 and 28 have been objected to as being dependent upon rejected base claims, but it is stated in the Official Action that they would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicants respectfully submit that the claims 1- 4, 6, 8 – 25, and 27 – 35, as presently pending, are allowable over the cited art of record and an early notice of allowance is accordingly solicited.

Claim Rejections under 35 USC § 112

Claims 20 and 30 have been rejected under 35 USC § 112, second paragraph as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the claimed invention. Claims 20 and 30 have now been amended to remove the cited indefiniteness and are therefore now believed to be in condition for allowance under 35 USC § 112, second paragraph.

Claim Rejections under 35 USC § 102 (e)

Claims 1, 5, 6, 25, 27, 34, and 35 have been rejected under 35 USC § 102(e) as purportedly being anticipated by *Freeman, et al.* In addition, claims 1, 4, 8 – 11, 15 – 17, 19 – 22, 25, 27, and 31 – 35 have been rejected under 35 USC § 102(e) as purportedly being anticipated by *Marcangelo*. Applicant respectfully requests reconsideration.

Claim 1 has now been amended to incorporate the limitation of claim 7, which was stated to be allowable over the cited art of record, and claim 5 has been canceled. Therefore, claim 1, and its dependent claims 4, 6, and 8 – 10 are believed to be allowable over the cited art of record. It is accordingly respectfully requested that the rejections of claim 1, 4, 6, and 8 - 10 under 35 USC § 102(e) as purportedly being anticipated by *Freeman, et al.* and by *Marcangelo* be withdrawn.

With regard to the rejection of claims 25, 27, and 35 under 35 USC § 102(e) in view of *Freeman, et al.*, it is respectfully submitted that *Freeman, et al.* fails to teach or disclose adjusting the feeding of the border or gusset material with respect to the sewing needle, such as through an adjustable guide, by passing the border or gusset material through an adjustable folder assembly so as to position the gusset and/or border material for sewing to the work piece as discussed in claims 25, 27, and 35. Instead, *Freeman, et al.*, at most, discloses feeding a "spool of gusset material through a folder 62 having bilateral guide 64 and a centerline folding plate" (not shown) for folding the gusset material, which folder 62 is mounted onto a horizontal staging platform 66 (see col. 4, ll. 3 – 7). *Freeman, et al.* accordingly does not appear to teach the guiding the border gusset material into the sewing zone, including adjusting the feeding of the border or gusset material with respect to the sewing needle, such as through an adjustable guide,

by passing the border or gusset material through an adjustable folder assembly so as to set the spacing from the first edge of the border or gusset material with respect to the edge of the work piece to set the location at which the border material will be sewn to the work piece, as taught by claims 25, 27 and 35. It is therefore respectfully submitted that *Freeman, et al.* fails to anticipate claims 25, 27, and 35. It is accordingly respectfully requested that the rejection of claims 25, 27, and 35 under 35 USC § 102(e) as purportedly being anticipated by *Freeman, et al.*, be withdrawn.

Similarly, with respect to the rejection of claims 11, 15 – 17, and 19 – 22, 25, 27, and 31 – 35 under 35 USC § 102(e) in view of *Marcangelo*, Applicant respectfully points out that *Marcangelo* fails to teach all the limitations of the claims as presently pending, and therefore fails to anticipate such claims. Contrary to the statements made in the Official Action, *Marcangelo* does not describe the use of an adjustable folder as recited in claims 11 – 24. Instead, *Marcangelo* appears to disclose, at most, a fixed, conventional-type material folder that is "mounted on an outer surface of the tucking arm 36" (see col. 6, ll. 53 – 55). Thus, the folder of *Marcangelo*, which apparently is a conically shaped plate as shown in the drawings, is fixedly mounted to an outer surface of the tucking arm. There does not appear to be any discussion in *Marcangelo* of this plate being adjustable for guiding the length of material through the sewing zone (see Fig. 1). The discussion at col. 7, lines 1 – 13, of *Marcangelo* relates to the anvil 156 and a decking guide 168 that are mounted to the base of the sewing machine, below and in front of the folder 148, and over which the material is passed to provide "a subjacent support for the gusset material as the tucking plate forms a tuck in the gusset." Thus, rather than disclosing an adjustable folder for guiding the border or gusset material into a position on the work piece or

panel for sewing about an edge thereof, as claimed, *Marcangelo* teaches the use of a fixed folder plate as conventionally known, and the use of a slanted base plate or "anvil" mounted to the deck of the sewing machine for supporting the material in an inclined position during tucking as shown in Figs. 7 – 8B.

Accordingly, it is respectfully submitted that *Marcangelo* fails to teach and thus fails to anticipate the system and method for attaching a length of material to a panel as taught by claims 11, 15 – 17, 19 – 22, 25, 27, 31 – 33, and 35, as presently pending. It therefore is respectfully requested that the rejection of these claims under 35 USC § 102(e) as purportedly being anticipated by *Marcangelo* be withdrawn.

With respect to claim 34, claim 34 has now been amended to include the limitations of claim 28 and is therefore believed to be allowable over the cited art of record. It is accordingly respectfully requested that the rejection of claim 34 under 35 USC § 102(e) as purportedly being anticipated by *Freeman, et al.* or *Marcangelo* be withdrawn.

Claim Rejections under 35 USC § 103 (a)

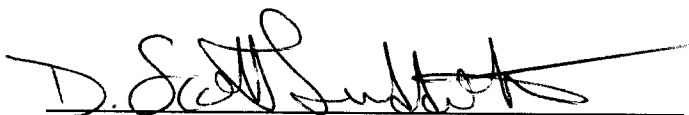
Claims 2, 3, 29 and 30 have been rejected under 35 USC § 103(a) as purportedly being patentable over *Freeman, et al.* in view of *Eto*. Claims 12 – 14 have been rejected under 35 USC § 103(a) as being unpatentable over *Marcangelo* in view of *Fry*, while claim 18 has been rejected under 35 USC § 103(a) as purportedly being unpatentable over *Marcangelo* in view of *Ferguson*. Lastly, claims 23 and 24 have been rejected under 35 USC § 103(a) as purportedly being unpatentable over *Marcangelo* in view of *Eto*. Applicant notes that claims 2 and 3 are dependent from claim 1, while claims 12 – 14, 18 and 23 – 24 are dependent from claim 11, and claims 29

and 30 are dependent from claim 25, all of which are believed to be allowable over the cited art of record as discussed above. It is accordingly respectfully submitted that claims 2, 3, 12 – 14, 18, 23, 24, 29, and 30 likewise are allowable over the cited art of record and it is accordingly respectfully requested that the rejections of these claims under 35 USC § 103(a) be withdrawn.

Conclusion

In summary, it is respectfully submitted that claims 1 – 4, 6, 8 – 25, and 27 – 35, as now pending in the present application, define a system and method for finishing and/or attaching a length of material to a panel, such as for a mattress, that provides a distinct advance in the art that is not anticipated or made obvious by the cited art of record. An early notice of allowance accordingly is solicited. Should the Examiner have any questions regarding the forgoing amendment, he is invited and urged to telephone the undersigned attorney.

Respectfully submitted,


D. Scott Sudderth
Reg. # 34,026

Womble Carlyle Sandridge & Rice, PLLC
P.O. Box 7037
Atlanta, Georgia 30357-0037
(404) 962-7527